

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	Hagenbarth Land Management LP Right of Way Request
<b>Proposed Implementation Date:</b>	Summer 2014
<b>Proponent:</b>	Hagenbarth Land Management LP
<b>Location:</b>	Section 16, Township 4 South – Range 9 West (Common School Section)
<b>County:</b>	Beaverhead County

### I. TYPE AND PURPOSE OF ACTION

Proponent has applied for a permanent 30 foot right of way (15 feet on each side of the centerline) to access deeded land owned by Hagenbarth Land Management LP in the NW ¼ of Section 15, Township 4 South – Range 9 West near Glen, Montana. The easement would be over an existing road that the proponent uses to access ranch buildings, a bunkhouse and grazing and agricultural land owned by the proponent. The easement amounts to approximately 0.46 acres of state land and is about 750 feet in length. The road was modified after 1997 to allow for access by large trucks to reach livestock loading facilities on deeded property. Beaverhead County helped install the approach off of School House Road which is an established County Road. Beaverhead County purchased an easement for the School House County Road in 2008.

### II. PROJECT DEVELOPMENT

#### 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

*Provide a brief chronology of the scoping and ongoing involvement for this project.*

The following individuals and agencies were contacted for comment on this proposal.

Smith 6 Bar S Livestock  
PO Box 320007  
Glen, MT 59732-0007

Beaverhead County Commissioners  
2 South Pacific Street  
Dillon, MT 59725-4000

Montana Department of Fish Wildlife & Parks  
Vanna Boccadori  
1820 Meadowlark Lane  
Butte, MT 59701

Gainey Foundation  
1593 Galbraith Ave SE  
Ste 202 # 10  
Grand Rapids, MI 49546-9032

Richardson Family Trust  
PO Box 320032  
Glen, MT 59732-0033

Robert Curtz  
PO Box 320061  
Glen, MT 59732-0061

Kalsta Ranch Co.  
P O Box 320104  
Glen, MT 59732-0104

Patrick Rennie, Montana DNRC Archeologist

## 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other government agencies or permits are needed for this proposal.

## 3. ALTERNATIVES CONSIDERED:

**A. No Action Alternative:** Deny Hagenbarth Land Management LP an easement across state land in Section 16, Township 4 South - Range 9 West to access their deeded property in the NW1/4 of Section 15, Township 4 South - Range 9 West.

**B. Action Alternative:** Allow Hagenbarth Land Management LP an easement across state land in Section 16, Township 4 South - Range 9 West to access their deeded property in the NW1/4 of Section 15, Township 4 South - Range 9 West.

## III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

## 4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

The NRCS classifies the soils at the location of this proposed easement as Varney-Sappington complex. The parent material is from alluvium. The soils are well drained and are classified as farmland of state wide importance with land capability classification of 3e.

As the current lessee of Section 16, T4S – R9W Hagenbarth Land Montana LP has used the road for many years and the condition of the road is in excellent condition. The road has been surfaced with pit run and gravel to reduce rutting and erosion problems. The Action Alternative would continue use of the road in its current condition which has not adversely affected the road prism, caused any rutting or adverse affects to the soils at this location. No long term or cumulative impacts would be expected if the Action Alternative is chosen.

If the No Action Alternative is chosen the road would continue to be used in its current state as long as Hagenbarth Land Montana LP was the lessee of the state section. No long term or cumulative impacts are expected from either of the proposed alternatives.

**5. WATER QUALITY, QUANTITY AND DISTRIBUTION:**

*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

The Big Hole River is approximately ½ mile from this access road location. Currently there are no apparent impacts caused to the river from use of the existing road. Past use of the road has not caused any degradation of surface or ground water in the vicinity. The road is well maintained and in good condition with no apparent erosion problems present at this time. The impacts from both alternatives would be the same. Use of the road will continue for ranch purposes as long as Hagenbarth Land Montana LP is the lessee of the state section. If the easement is granted use of the road would continue as a permanent right-of-way.

**6. AIR QUALITY:**

*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

Air Quality in Beaverhead County is excellent. Granting the easement will not affect ambient air quality standards within the County. The Action Alternative will not affect long term or cumulative effects to air quality standards.

The road is currently being used by the lessee of the section and the use will remain the same whether the Action Alternative or the No Action Alternative is chosen for this particular proposal as long as the proponent is the lessee. No impacts from either alternative are anticipated.

**7. VEGETATION COVER, QUANTITY AND QUALITY:**

*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

An NRIS search didn't reveal any rare plants or cover types near, on, or around the right-of-way location. The road is in place and has been used for access to deeded land for years.

**8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:**

*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

The area where the proposed easement is located has high agricultural use by the Hagenbarth Land Montana LP ranch. There are a number of sheds and out buildings along with their bunk house. The sheds store equipment and tractors and there is a large hay storage area just south of the approach to the road easement proposal. There is some use by deer, small mammals and birds.

Neither the Action nor No Action Alternative will alter current use by wildlife and bird life because the easement is currently being used and will continue to be used into the future.

No long term or cumulative effects are anticipated to terrestrial, avian or aquatic life or habitat with either of the proposed alternatives.

## **9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**

*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

An NRIS search revealed that there are four sensitive species that are located near the proposed easement location. These include;

**Arctic grayling**, (*Thymallus arcticus*) are present in portions of the Big Hole River and are considered a species of concern. The Big Hole River lies approximately 1 mile from the proposed easement location. There is a large buffer of flat grazing ground between the easement and the river.

The Action Alternative should not affect long term or cumulative effects to the Arctic grayling population in the Big Hole River due to its distance from the river (approximately 1 mile), and the fact that the road doesn't affect water quality issues or riparian habitat.

The No Action Alternative should not affect long term or cumulative effects to the Arctic grayling population in the Big Hole River.

**Great Blue Heron** (*Ardea Herodias*) is listed as a sensitive species and an NRIS search identified it as being located near the proposed easement location. Great Blue Herons are birds that inhabit riparian areas and eat aquatic species such as fish and crustaceans. The easement location would not be considered critical habitat for this species. The Big Hole River is located approximately 1 mile from the proposed easement location and herons would be more at home along the river habitat.

The No Action Alternative would not cause any long term or cumulative impacts to Great Blue Herons or their habitat.

The Action Alternative would not cause any long term or cumulative impacts to Great Blue Herons or their habitat.

**Ferruginous Hawk** (*Buteo regalis*) has been sighted near the proposed easement location and is considered a sensitive species. The hawk's primary habitat is sagebrush grasslands which there are a great deal of to the west of this location on BLM lands. The land area surrounding the easement has been converted to farm land and has high human use on the county road, freeway, and ranch land along the river. Although the hawks may hunt small mammals in this area, their main habitat lies to the west of the proposed easement location.

The Action Alternative would not alter Ferruginous Hawk habitat and should not have any long term or cumulative effects on the bird species.

The No Action Alternative would not alter Ferruginous Hawk habitat and should not have any long term or cumulative effects on the bird species.

**Greater Sage Grouse** (*Centrocercus urophasianus*) The greater sage grouse is considered a sensitive species. The lands to the west of the ranch support sage grouse in the sagebrush grasslands that exist west of the I-15 interstate highway. The lands where the proposed road easement is located are farm ground and have been plowed and planted to non-native grasses and would not be considered prime habitat for sage grouse.

The Action Alternative would not have any long term or cumulative effects on sage grouse or their habitat.

The No Action Alternative would not have any long term or cumulative effects on sage grouse or their habitat.

## **10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

Patrick Rennie Montana DNRC Archeologist was contacted concerning this easement application. He acknowledged that there is a burial site, an old junk pile and some chert flakes that have been found on the section. All of these sites are west of the Interstate 15 highway and he didn't have any concerns with issuing the easement for the road. The access road is east of the I-15 highway and no affects to the known archeological sites should be affected by issuing the easement.

Nieter alternative would have any long term or cumulative impacts on Archeological sites on the section.

#### **11. AESTHETICS:**

*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

The Action Alternative would allow permanent access by the current lessee to their deeded ranch land property. The area and access road is currently being used for ranching purposes and fits in with the current surrounding land use practices and would not alter the current topographic features in the Glen area.

The Action Alternative would not have any long term or cumulative impacts to aesthetics.

The No Action Alternative would not cause any long term or cumulative impacts to aesthetics.

#### **12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

There have not been any environmental resources demands of land, water, air or energy identified with scoping of this EA checklist that would be affected by this proposal to grant a permanent easement. Neither the Action, nor the No Action Alternative would have any long term or cumulative impacts on land water air or energy resources.

#### **13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

Section 16, Township 4 South – Range 9 West is currently being leased as an oil and gas lease by GULF WESTERN GEOPHYSICAL, LLC until June of 2020. At this time no activity has been proposed. There are also a number of other easements that have been granted on this state section which include;

D-10426	3 RIVERS TELEPHONE COOP	Non-Exclusive	Buried Telephone Distribution	08/17/2001
D-11204	BUREAU OF LAND MANAGEMENT	Non-Exclusive	BLM Road	10/06/2004
D-12680	BEAVERHEAD COUNTY COMMISSIONERS	Historic	County Road	01/08/2008
D-13216	3 RIVERS COMMUNICATIONS	Historic	Buried Telephone Distribution	08/27/2009
D-06014	DEPT OF TRANSPORTATION	Non-Exclusive	Easement / Right of way	02/11/1971
D-06073	NORTHWESTERN CORPORATION DBA NORTHWESTERN ENERGY	Non-Exclusive	Easement / Right of way	11/05/1971

#### **IV. IMPACTS ON THE HUMAN POPULATION**

- RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.
- Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.
- Enter "NONE" if no impacts are identified or the resource is not present.

**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

No long term or cumulative effects to health or safety risks have been identified by choosing the Action Alternative.

No long term or cumulative effects to health or safety risks have been identified by choosing the No Action Alternative.

**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

*Identify how the project would add to or alter these activities.*

The Action Alternative would allow Hagenbarth Land Montana LP a permanent access to reach their ranch land in Section 15, T4S- R9W in Beaverhead County. Because they are the lessee they are currently using the road to reach their ranch land. Neither of the proposed alternatives will alter agricultural activities and production on the ranch land would remain the same with both alternatives.

**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**

*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

Neither of the proposed alternatives would alter employment on the ranch or in the Glen area.

**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**

*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

Neither of the proposed alternatives would alter the local or state tax base.

**18. DEMAND FOR GOVERNMENT SERVICES:**

*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.*

Neither of the proposed alternatives would alter the current demand for government services.

**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**

*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

Neither of the proposed alternatives would alter locally adopted environmental plans and goals of Beaverhead County.

**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**

*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

Neither of the proposed alternatives would alter access to state and federal lands for recreational access or routes to public lands. The Lost Creek Road access that takes off from the School House road will not be affected by choosing either of the two alternatives, Action or No Action Alternatives.

**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

Neither of the proposed alternatives would alter density and distribution of the population and housing in Beaverhead County.

**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

Neither of the proposed alternatives would alter traditional lifestyles or communities in Southwest Montana.

**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

Neither of the proposed alternatives would alter cultural uniqueness and diversity of the area.

**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

This easement would generate \$690 for the Common Schools Trust.

**EA Checklist  
Prepared By:**

**Name:** Timothy Egan  
**Title:** Dillon Unit Manager

**Date:** 5/30/2014

**V. FINDING****25. ALTERNATIVE SELECTED:**

Action Alternative

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

No significant impacts were identified through the completion of the MEPA process.

**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**☐

EIS

☐

More Detailed EA

☒

No Further Analysis

**EA Checklist  
Approved By:**

**Name:** Hoyt Richards  
**Title:** CLO Area Manager

**Signature:** /s/

**Date:** 6/12/2014